

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MATTHEW BERNARD BOTEIN,)
v.)
Plaintiff,)
UNITED STATES CUSTOMS AND)
BORDER PROTECTION,)
Defendant.)
C.A. No. 14-10405-RWZ

STIPULATION OF DISMISSAL

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), the parties move this Honorable Court to dismiss this action.¹ Each party will bear his/its own costs and fees.

Respectfully submitted,

Plaintiff
By his attorney

Defendants
By their attorneys

/s/ Daryl DeValerio Andrews (JAS)
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CARMEN M. ORTIZ
United States Attorney

Dated: April 30, 2014

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¹ The parties agree that this dismissal is without prejudice to the extent Plaintiff wishes to file a complaint challenging the FOIA exemptions CBP claimed as to the documents it produced to Plaintiff in response to his FOIA request. The parties further agree that this dismissal is with prejudice as to Plaintiff's claim that CBP failed to respond to his FOIA request.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants by First Class Mail.

/s/ Jennifer A. Serafyn

Jennifer A. Serafyn

Assistant United States Attorney

Dated: April 30, 2014